

## Tilburg University

### Gender identity asylum seekers in Ireland

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# Gender Identity Asylum Seekers in Ireland: A Critical Step for the Trans Liberation Movement

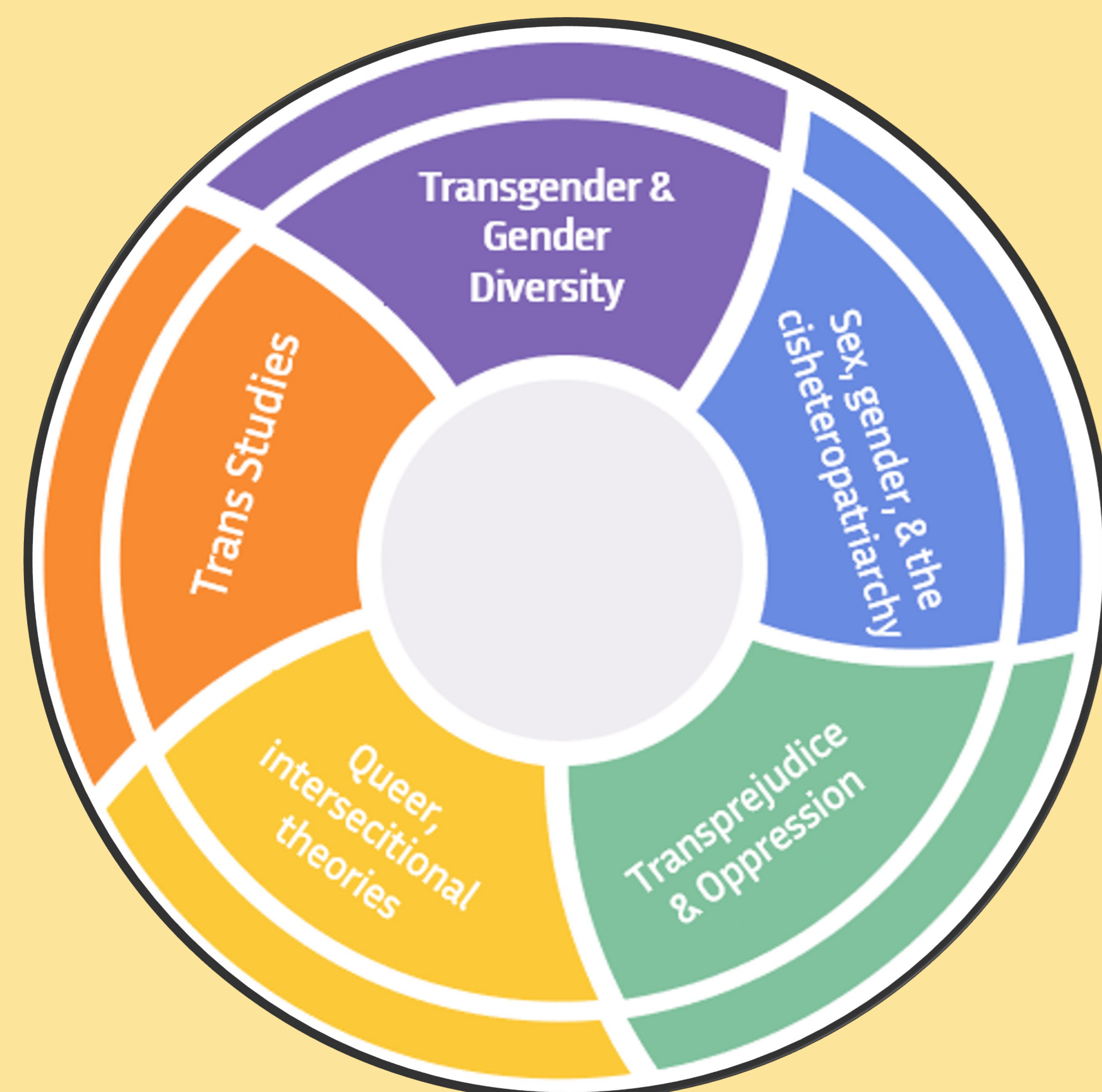


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## Research Question

What are the social and legal barriers facing gender identity asylum seekers in Ireland, and to what extent do these issues compound the oppression of transgender and gender diverse people?

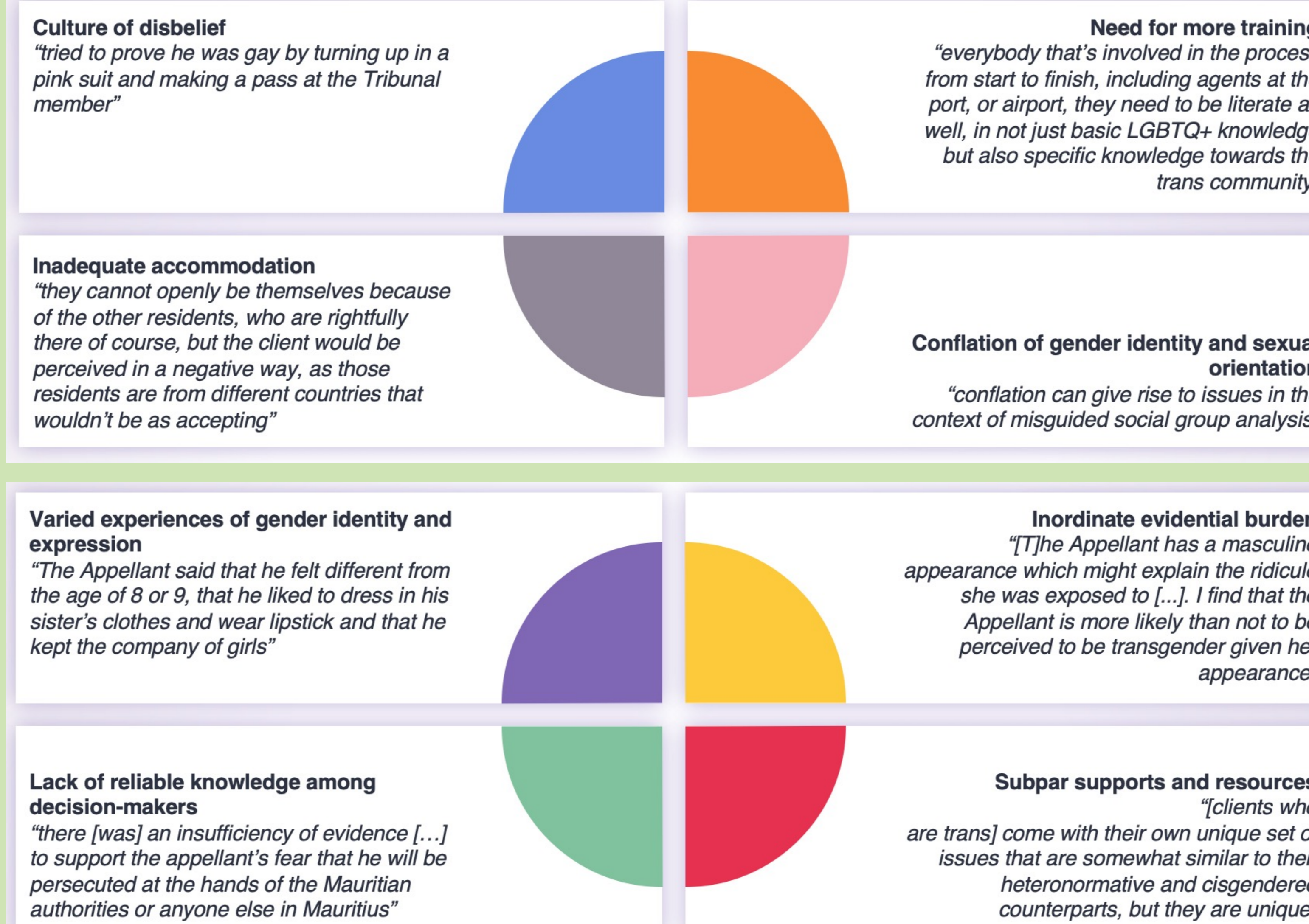
## Conceptual & Theoretical Frameworks



## Abstract

This paper explores the social and legal issues gender identity asylum seekers face when seeking international protection in Ireland. It argues that these issues compound the oppression of gender minorities. Through interviews with professionals involved in the asylum process and analysis of Refugee Status Determination decisions, the challenges gender identity asylum seekers face are revealed. Drawing on queer and intersectional perspectives, as well as theories from contemporary transgender studies, this paper critically assesses the legal landscape as it pertains to transgender and gender diverse individuals. It arrives at the conclusion that there are many, unique issues facing gender identity asylum seekers in Ireland. It similarly concludes that the law requires a conceptual shift to better promote and protect gender minorities from oppression under the cis-heteropatriarchy and to achieve equality and fairness for gender identity asylum seekers.

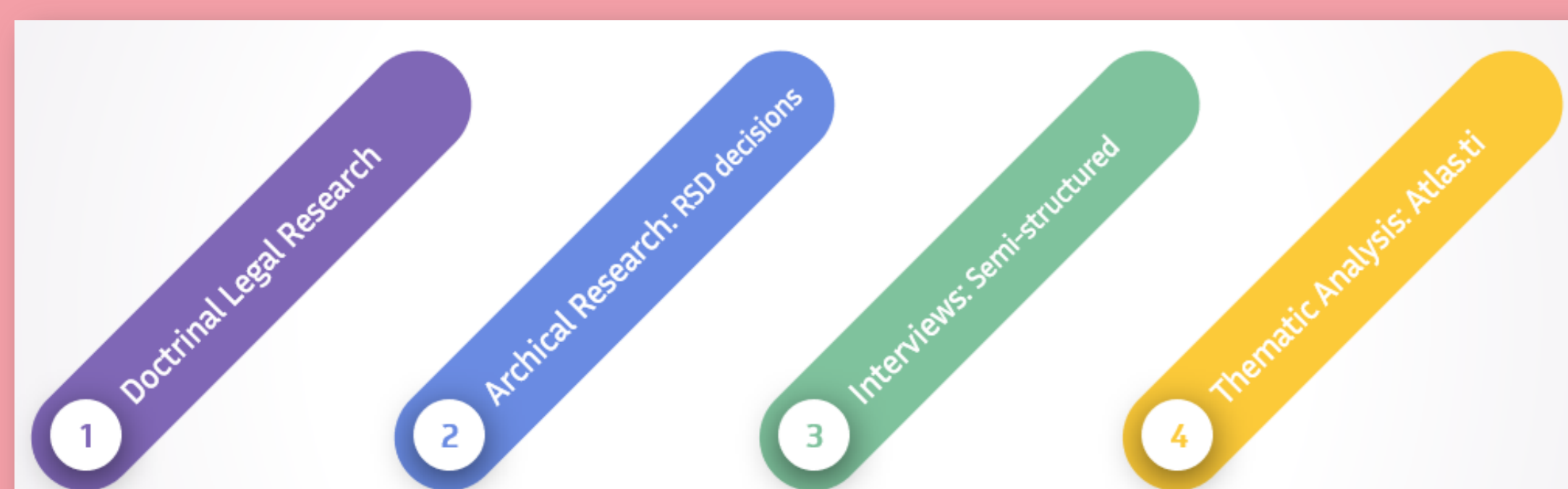
## Qualitative Results



## Conclusion

- Gender identity asylum seekers in Ireland face a number of unique legal and social challenges, which can amount to their re-traumatization and re-victimization, compounding the oppression of the transgender and gender diverse communities.
- Better training is needed for decision-makers and lawyers; claimants must be identified early in the process to extend supports to them; appropriate accommodation must be provided; the system must be monitored to ensure adherence to good standards; and legal protections must be extended to all gender identities.
- The legal landscape is considerably fragmented, making it difficult to mobilize and access the protections that are offered to their cis-gender counterparts.
- A conceptual shift is needed within the legal landscape internationally and domestically to create space for a wider range of gender geometries to be recognized and offered appropriate protection.
- There is a trend towards “queering” the law, but this move is failing to account for identities that do not fit gender-binary normativity (either woman or man) or cisnormativity (identifying and expressing an identity according to the sex assigned at birth) on which much of society is predicated.

## Methods & Data Sets



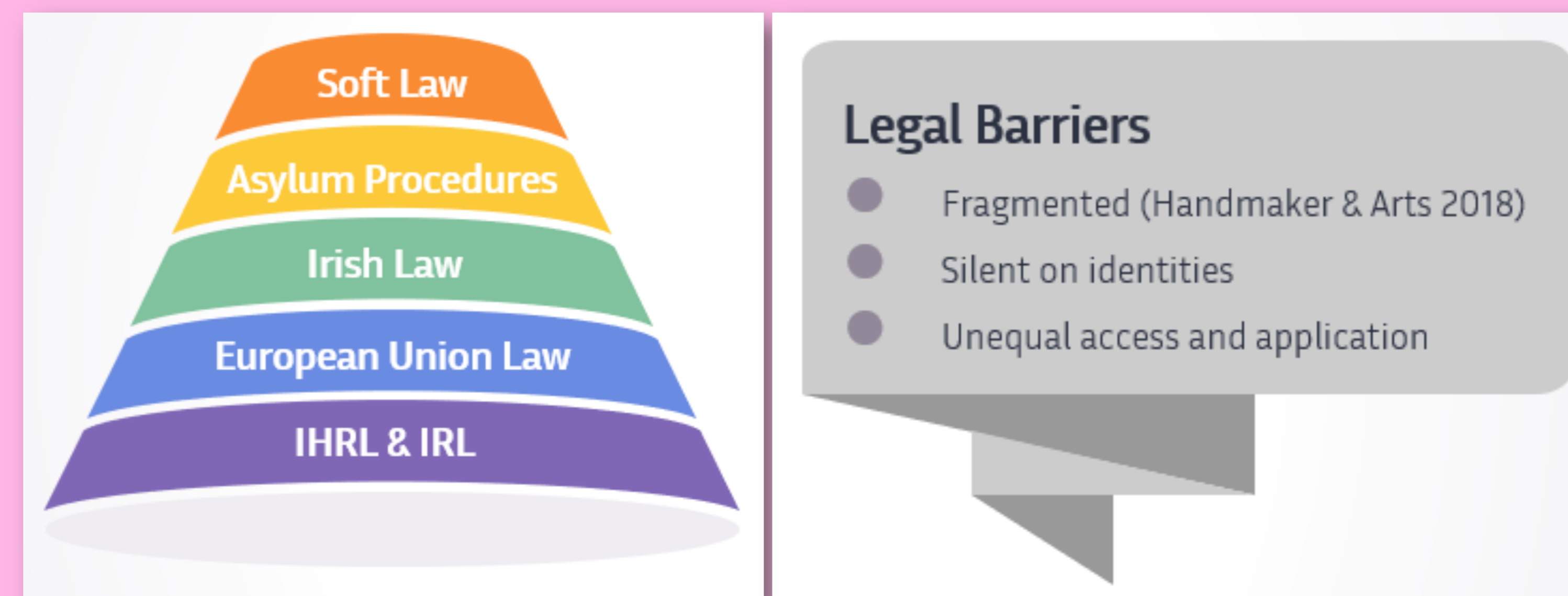
Data Set 1: RSD Decisions

	Country of Origin	Year of Decision
Applicant 1	Taiwan	2013
Applicant 2	Mauritius	2016
Applicant 3	Malawi	2017
Applicant 4	Zimbabwe	2017
Applicant 5	Mauritius	2020
Applicant 6	Albania	2020

Data Set 2: Interviews

	Role
Interviewee 1	Lawyer
Interviewee 2	Lawyer
Interviewee 3	Decision-maker
Interviewee 4	Decision-maker
Interviewee 5	Decision-maker
Interviewee 6	NGO worker
Interviewee 7	NGO worker
Interviewee 8	NGO worker

## Doctrinal Results



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